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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/360,685	07/26/1999	ANTONELLO COVACCI	CHIR-0157	4520

27476 7590 05/17/2006

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EXAMINER	
DEVI, SARVAMANGALA J N	

ART UNIT	PAPER NUMBER
1645	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/360,685	07/26/99	Covacci et al.	CHIR-0157

Customer Number 27476	EXAMINER	
	S. Devi, Ph.D.	
	ART UNIT	PAPER NUMBER
	1645	052006
	DATE MAILED:	

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

1) The instant application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, the instant application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures. It should be noted that 37 CFR 1.821 (a)(2)(c-d) states that each sequence disclosed must appear separately in the 'Sequence Listing' and in the text of the description and claims. See MPEP 2431.

2) The instant specification includes recitations of amino acid sequences longer than ten bases, yet does not identify each sequence by a sequence identifier (SEQ ID number) as required under 37 C.F.R 1.821 through 1.825. For example, the amino acid sequences NEPIYA and EEPIYA appearing in Figure 3 lack sequence identifiers. Each sequence in the Figure(s) must be identified by a specific sequence identifier. See 37 C.F.R 1.821 through 1.825. Although the nucleotide and amino acid sequences depicted at the bottom three lines of Figure 3 appear to have been identified in the Sequence Listing as SEQ ID NO: 11-18, these sequence identifiers do not appear in the text of the description. Similarly, the boxed amino acid sequences in Figures 4C and 4D and their corresponding nucleotide sequences appear to have been identified in the Sequence Listing as SEQ ID NO: 19-24, which sequence identifiers do not appear in the text of the description.

3) APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD OF TIME FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37

C.F.R 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R 1.821(g). Extensions of time may be obtained under the provisions of 37 C.F.R 1.136. In no case may an Applicant extend the period of reply beyond the SIX MONTH statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

4) Any inquiry concerning this communication or earlier communications from the Examiner should be directed to S. Devi, Ph.D., whose telephone number is (571) 272-0854. The Examiner can normally be reached on Monday to Friday from 7.15 a.m to 4.15 p.m. A message may be left on the Examiner's voice mail system.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lynette Smith, can be reached on (571) 272-0864.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1600.

May, 2006

S. DEVI, PH.D.
PRIMARY EXAMINER

Application No.: 09 /360,685

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- [] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [X] 7. Other: The amino acid sequences NEPIYA and EEPIYA appearing in Figure 3 lack sequence identifiers.

Applicant Must Provide:

- [X] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [X] An ~~initial or substitute paper copy of the "Sequence Listing", as well as~~ an amendment directing its entry into the specification.
- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
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